D. Determination Groups

NOTE

This chapter covers ERDC determination groups only. Refer to the TANF (TF-C) and SNAP (SNAP-C) chapters if you need assistance with determination groups for those programs.

1. Who is included in the household

A household includes all the people who live in the same dwelling, except for those who have a landlord/tenant relationship. A landlord/tenant relationship means that:

- The tenant lives independently from the landlord;
- The landlord charges a fair market value for the housing; and
- The tenant has separate sleeping, bathroom and kitchen facilities from the landlord. If they do not, it is within a commercial establishment that offers room and board, or both, for fair market value compensation.

People who live in more than one household during a calendar month are members of the household where they spend 51 percent or more of their time.

EXCEPTION

A child who lives with different caretakers during the month may be considered a member of both households. For example, in joint custody situations, both parents could have their own ERDC case if they are eligible. The shared custody child is coded on each case.

People gone from the household for 30 days or more are no longer part of the household, unless there is a reasonable expectation they will return within 90 days. Examples of this include members who are hospitalized, in a residential alcohol and drug treatment program, or children placed in temporary foster care.
Gone for 30 days or more

Parents or caretakers who are gone for 30 days or more are still considered part of the household if they have left due to:

- Employment (includes long haul truck driving, fishing, active duty in the U.S., as well as job search);
- Education;
- Training;
- *Caring for an emergent need of an individual related to illness, injury or death.

*Parents or caretakers who leave to care for the emergent need of an individual due to illness, injury or death are still considered available to care for the children. This will typically affect eligibility for two-parent households. In these situations, the family has made a decision for an available caretaker to leave the home to care for other circumstances rather than covering the family’s current child care need.

Returning within 90 days

An individual is still considered part of the household when they are:

- Out of the household for any reason; and
- Reasonably anticipated to return within 90 days.

Example: Cora is applying for ERDC benefits. She reports that her husband, Paul, is currently working in California. They are still together though he does not know when he will be able to transfer to Oregon.

Paul is included in the ERDC household. He will be counted in the # ERDC field on UCMS and his income will be counted in calculating the copay. As a two-parent household, only overlapping work hours will be authorized.

Example: Clarissa is applying for ERDC benefits. She is working full time and her husband, Sam, has been staying home with the children. Sam left to help his grandmother while she is selling her home and moving to an assisted-living facility. They do not know how long it will take for Sam to return home. Sam is not receiving any payment or reimbursement for his time. The family is not eligible for ERDC because Sam is still part of the household and considered available to provide care.

Example: Hans is a new applicant for ERDC. He is working and the children’s mother, Esther, was staying home with the children. Esther leaves the
country to take care of her mother during an illness. The family is not eligible for ERDC because Esther is still part of the household and considered available to provide care.

Four months later, Hans contacts the office asking to apply for ERDC. Esther has tried to return home, but her VISA has expired. She has been unable to come back to the United States. Since Esther is no longer gone due to her mother’s illness and is not able to return home, the family can now be considered for ERDC benefits. Hans does not know how long it will take for Esther to re-enter the country. Esther is no longer absent to care for the emergent need caused by her mother’s illness and she is not reasonably anticipated to return within 90 days.

Example: Dori has applied for ERDC on the fifth of the month. She has no children in the home at this time. She provided information from Child Welfare stating that her children are returning home on the 28th of the month. Though Dori has visitation this month, she does not have a child care need until the end of the month.

ERDC can be approved since the children are reasonably anticipated to return with 90 days.

The worker will need to compare the August copay against the family’s child care need for August. The copay may be higher than the cost of care for the family. If so, August benefits would be denied and the case can be approved September 1.

Example: Ann calls the office to report that 17-year-old Sonja had to fly back east for her grandmother’s funeral. She will be returning in the next two to three months.

Though Sonja is going to a funeral, she is not caring for the emergent needs related to her grandmother’s death. She is “reasonably anticipated to return with 90 days.” The worker will not remove Sonja from the # ERDC field on UCMS.

If Ann reported that Sonja would be gone for three to four months, the worker would need to remove Sonja from the # ERDC field on UCMS. A 10-day notice would be required if the action caused an increased copay.
2. Who is included in the filing group

The ERDC filing group includes all household members whose income and circumstances are considered in determining the family’s need for child care assistance.

The following household members are included in the filing group for ERDC:

- The caretaker of the child for whom ERDC benefits are requested. A caretaker is the person who is responsible for the care, control, and supervision of the dependent child. (This does not apply to a child care provider caring for the child of a person – who is a member of the National Guard, U.S. Armed Forces or Reserve unit and who has been called to active duty away from the child’s home for more than 30 days. The caretaker does not have to be related to the child (CC-e.5);

- Unmarried children in the care and custody of the caretaker who are under age 18 or 18 and attending secondary school or vocational training at least half time;

- The parent(s) of any of the above children or of an unborn child in the same household. This is to include any common children, and both parents, in the filing group;

- Foster child(ren) only if the caretaker wants to include them in the filing group;

- The spouse of the caretaker. A spouse is a person who is legally married to the caretaker.

- Minor parents who are children of the caretaker are included in the filing group. Minor parents who are employed may request a separate ERDC case. In this situation, the minor parent is now considered the caretaker. The minor parent and their child(ren) can form a filing group separate from the others in the household. Once the minor parent applies as a caretaker, their income becomes countable. A minor parent who is not applying as the caretaker is considered a child and their earned income is not counted.

**Example:** Bryan and Elaine live together, they are not married. Bryan has a child from a previous relationship and Elaine also has a child from a previous relationship. They have no common children. Together Bryan and Elaine do not meet the requirements of an ERDC filing group. They do meet the requirements as two separate filing groups in the same household. Bryan and his child are on one case and Elaine and her child on another.

Three months later, Elaine calls to report she is pregnant with Bryan’s child. When Elaine calls to report the unborn, the cases are combined as one case because the common child (unborn) now ties Elaine and her
other child to Bryan and his child. Any changes due to combining households and income that increase the copay must be given a 10-day notice.

Example: Molly has legal custody of her two grandchildren. The children’s biological mother is also living in the home. In this situation Grandma, because she is the legal guardian, both children and the biological mom are all in the ERDC filing group. Any income the biological mom has is counted toward the ERDC income.

If the biological mom is not working the ERDC case would be denied because a parent in the home can care for their children. However, if the grandma states the parent cannot be left alone with their children and there is court documentation or child welfare determination stating this then the case can be reviewed for eligibility. Any income from the bio mom is counted.

Example: Samantha lives in the home with her two children and grandchild, Kara (17), Tyler (10) and Kara’s son Mason (18 months). Samantha is working 40 hours during the week. Kara is working 20 hours a week after school and on weekends. What are the family’s options and whose income would count?

Option 1:
Samantha states that she watches Mason on the weekends and she needs child care for both Tyler and Mason while she is at work. She can apply as the caretaker for Kara, Tyler and Mason. Samantha’s income would count and her work hours would be used in determining how many child care hours to authorize. Kara’s earned income is excluded. Only Samantha’s work hours and commute time can be covered with the ERDC hours. Even when Kara is working on the weekend, Samantha is Mason’s caretaker and she cannot use ERDC to cover child care when she is not working. There are four in the ERDC group. Both Tyler and Mason would show on the billing form.

Option 2:
Samantha states that Kara is fully responsible for the care of Mason and the child care need is during Kara’s work hours only. Kara can apply as the caretaker for Mason. She would have her own ERDC case. Her earned income is now counted and the authorized child care hours are for the time she is working and commuting to and from work. The ERDC case is based on two in the ERDC group.
3. **Who is included in the benefit group**

For ERDC, the filing and benefit groups are the same. The number of members in this group determines which number to use in the copay calculation described in Section F of this chapter (cc-f.5). This is also the number that should be coded in the # ERDC field on UCMS.

**ERDC filing group = ERDC benefit group = # ERDC on UCMS**

When the benefit group includes children who are not eligible for child care, they are coded NO, but they are still counted in the # ERDC field on UCMS. This could include children ages 12 through 17 who do not have Special Needs, children who do not need child care and noncitizen children. Older siblings are not counted in the # ERDC field on UCMS. This includes siblings age 19 or older, or 18-year-old siblings who are no longer in high school.

### Example:

<table>
<thead>
<tr>
<th></th>
<th>Noncitizen Mom</th>
<th>Noncitizen Child</th>
<th>8-year-old Citizen Child</th>
<th>16-year-old Citizen Child</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Household</strong></td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Filing/Benefit</strong></td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>In Grant Coding</strong></td>
<td>NO</td>
<td>NO</td>
<td>CH</td>
<td>NO</td>
</tr>
</tbody>
</table>
The filing group and benefit group in the example above would include the noncitizen mom, noncitizen child and the citizen children. The # ERDC field in UCMS would be coded as four. Noncitizen children are coded NO.

Example:

<table>
<thead>
<tr>
<th>Household</th>
<th>Mom</th>
<th>3-year-old Child with free child care</th>
<th>10-year-old Child needing care</th>
<th>18-year-old Sibling not in high school</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

The filing group and benefit group in the example above would include the mom, 3 year old and 10 year old. The # ERDC field in UCMS would be coded as 3. The 3 year old is still in the filing/benefit group even though they have free care available and would be coded as a NO. This child will be factored into the copay calculation. The 18 year old who is not in high school would be coded as RE (removed) or would not be added to UCMS at all. The # HSE field would show 4.

Please refer to **CC-WG #7, ERDC Eligibility Guide**.

<table>
<thead>
<tr>
<th>Filing Group; ERDC Rule</th>
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<tbody>
<tr>
<td>461-110-0350 — Filing Group; ERDC</td>
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<table>
<thead>
<tr>
<th>Need Group Rule</th>
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<tr>
<td>461-110-0630 — Need Group</td>
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</table>

<table>
<thead>
<tr>
<th>Benefit Group Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>461-110-0750 — Benefit Group</td>
</tr>
</tbody>
</table>

4. Concurrent TANF/ERDC benefit group membership

Individuals can be members in both a TANF and an ERDC benefit group in the following circumstances:

- Adults receiving TANF for themselves and their children may also receive ERDC for children who are in the household but cannot be included in the TANF Benefit group;
• Children who are in an ERDC benefit group can also be a TANF benefit group member when living with a non-needy caretaker relative who is not included in the TANF benefit group;

• Children who are in an ERDC benefit group can also be in a TANF benefit group when living with a needy caretaker receiving SSI;

• A TANF applicant who is receiving ERDC and applies for TANF in the same month. Clients should never receive both a JOBS Child Care Billing (JCCB) and a Child Care Billing (CCB) in the same month.

Concurrent and Duplicate Program Benefits Rule
461-165-0030 — Concurrent and Duplicate Program Benefits